



28 SEP 2010

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

FOLEY AND LARDNER LLP
SUITE 500
3000 K STREET NW
WASHINGTON DC 20007

In re Application of	DECISION ON
Hill et al	
Application No.: 10/582,321	
PCT No.: PCT/IB2004/04419	
Int. Filing Date: 10 December 2004	PETITION
Priority Date: 12 December 2003	
Attorney's Docket No.: 049280-0102	
For: METHOD OF... HEMOGLOBIN	UNDER 37 CFR 1.182

This decision is in response to the "PETITION UNDER 37 CFR 1.182 FOR... NATIONAL STAGE APPLICATION" filed on 28 July 2010, which is being treated as a petition under 37 CFR 1.182 to accept entry of the above identified application into the national stage with the corrected PCT number of PCT/IB2004/04419. Petitioner has been charged the petition fee of \$400.00 to the Deposit Account No.: 19-0741.

BACKGROUND

On 10 December 2004, this international application was filed, claiming an earliest priority date of 12 December 2003.

On 09 June 2006, applicants filed a transmittal letter for entry into the national stage in the United States. However, the incorrect PCT number (PCT/IB2004/004119) was submitted at the time of filing.

On 27 February 2007 and 21 May 2007, the United States Designated/Elected Office (DO/EO/US) mailed a "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)" (Form PCT/DO/EO/905).

22 May 2007, an executed declaration was filed.

On 24 July 2007, the USPTO mailed a "NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 C.F.R. 1.495 (Form PCT/DO/EO/903)," indicating that date of receipt of 35 U.S.C. 371 (c)(1), (c)(2), and (c)(4) requirements is 22 May 2007, and a date of completion of all 35 USC 371 requirements of 22 May 2007.

On 28 July 2010, petitioner filed a petition under 37 CFR 1.182 stating that at the time of filing the application, the correct number is **PCT/IB2004/004419**.

DISCUSSION

Petitioner states that the PCT number was incorrectly entered as PCT/IB2004/004119 rather than the correct number PCT/IB2004/004419 was indicated at the time of filing.

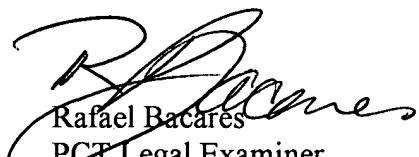
Although applicants entered the incorrect PCT serial number at the time of filing the application, the correct PCT/IB2004/004419 was placed on the specification and the correct copy of the published text of PCT/IB2004/004419 was submitted with the U.S. National Phase entry. Accordingly, there is sufficient evidence that the correct international application PCT number is PCT/IB2004/004419.

Therefore, petition to accept the correct PCT number of **PCT/IB2004/004419** for the instant application is granted, and will be reflected in a corrected filing receipt.

DECISION

The petition under 37 CFR 1.182 is **GRANTED**.

The application is being returned to the United States Designated/Elected Office (DO/EO/US) for processing in accordance with this decision.



Rafael Bacares
PCT Legal Examiner
PCT Legal Office
Telephone: (571) 272-3276
Facsimile: (571) 273-0459